

## COMMISSION ON TEACHER CREDENTIALING

1000 Ninth Street  
Sacramento, California 95814-7000  
(916) 445-0184  
FAX (916) 327-3166

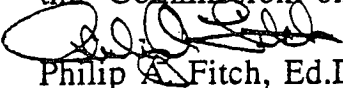


OFFICE OF THE EXECUTIVE SECRETARY  
(916)445-0184

92-9223

DATE: October 16, 1992

TO: All Individuals and Groups Interested in the Activities of  
the Commission on Teacher Credentialing

FROM:   
Philip A. Fitch, Ed.D.  
Executive Secretary

SUBJECT: Proposed Amendment of Sections 80505 through 80522,  
and Adoption of Sections 80523 through 80523.4 of Title 5,  
California Code of Regulations, Pertaining to an Appeal of  
the Denial of an Application for Credential

Notice of Public Hearing is Hereby Given:

In accordance with Commission policy, proposed Title 5 Regulations  
are being distributed prior to the public hearing. The public hearing  
is scheduled on:

December 3, 1992  
Thursday at 1:30 pm  
Clarion Hotel  
700 16th Street  
Sacramento, California

Statement of Reasons

Summary of Existing Laws

Education Code Sections 44225(a) and 44225(g) provide that the  
Commission shall establish professional standards for entry and  
advancement in the educational field and establish alternative  
methods for entry into the teaching and other certificated  
professions in the schools. Education Code Section 44225(m) allows  
the Commission to grant a waiver of one or more of the provisions

MISSION ON TEACHER CREDENTIALING

2 Ninth Street  
 ramento, California 95814-7000  
 6) 445-0184  
 X (916) 327-3166

OFFICE OF THE EXECUTIVE SECRETARY



ERRATA TO CODED-CORRESPONDENCE 92-9223

The public hearing is re-scheduled for:

January 7, 1993  
 Thursday at 1:30 pm  
 Clarion Hotel  
 700 16th Street  
 Sacramento, California

The written comment period will now close at 5:00 p.m. on January 6, 1993.

information. The original application is then reviewed by the Executive Secretary, and if he or she determines that it should remain a denial, it is taken to the Commission's Licensing and Professional Development Committee for review. The Committee's informal review is held in a closed hearing and the applicant has the right to present written and oral arguments, cross examine any witness, be represented, and decline to appear before the Committee. The chairman has the responsibility to conduct the hearing in a fair and dignified manner. If the appeal is denied, the Executive Secretary notifies the applicant within 10 days following the hearing of the decision and informs the applicant of the procedure for requesting an administrative hearing. Then, within 30 days of this notification, the applicant may request an administrative hearing by filing an additional petition with the Executive Secretary.

The Commission feels that the policies and procedures within the regulations for processing an appeal need to be revised to make the system more equitable for the applicant and easier to implement. The proposed changes would allow the Commission staff member who evaluates the case to notify the applicant of the initial denial rather than referring it to the Executive Secretary. The applicant could initiate the appeal based on an equivalence to minimum standards instead of additional information not included in the original application packet. Specific minimum standards for using experience in lieu of a student teaching course would be incorporated into the regulations. The Executive Secretary would neither grant nor deny the appeal, but would continue to notify the applicant of

the reasons for denial and the time and place of the Committee meeting, and would continue to file the appeal with the Committee. During the Committee's informal hearing, which would be held in an open meeting unless the appellant requests that it be closed, the appellant would no longer have the right to cross examine any witness. The determination of the hearing would be based on a majority vote. If the Committee recommends granting the appeal, it would then be presented to the Commission. An appellant whose appeal is denied would still be able to request an administrative hearing by filing a petition with the Executive Secretary.

The Commission wishes to introduce into the regulations a system that would cover requests for extensions of time to satisfy additional credential requirements, requests for documents based on an institution's inability to recommend for the credential because of campus policy, requests for Multiple or Single Subject Teaching Credentials based on experience in lieu of student teaching, requests for professional Administrative Services Credentials using administrative experience gained in positions not requiring this credential, and requests for Administrative Services Credentials using adult education credentials as a prerequisite credential.

Each change, including the rationale for the change, is listed below by Title 5 Section. Those sections indicated with an asterisk (\*) also contain changes that only add clarity to the statement or the subsection numbering system, but in no way change the meaning or add any other possible interpretation to the information.

#### §80505. Definitions.\*

Three definitions for use within this article have been added and two others modified. The term "credential" has been defined to include any type of document issued by the Commission. The terms "IHE" and "LEA" have been defined as an institution or agency, respectively, that has a Commission approved program used to satisfy credential requirements. The three new terms were added to make the regulations less wordy and are terms that are already familiar to the field. The term "Committee" has been redefined to include the Licensing and Professional Development Committee's full title. The term "denial" has been redefined to include denials made not only by the Commission, but also those made by the Committee and the Commission staff. This was added to clarify which section of the Commission could deny an application.

§80506. Notice of Denial.\*

To streamline the procedure, the Executive Secretary would no longer be the individual responsible for notifying the applicant of the reasons for denial. This would now be done directly by the evaluating staff member.

§80507. Date of Denial of Application.

Instead of listing a specific number of working days, it would be less confusing and more consistent to refer to the regulations that have already established a limit for the credential processing time.

§80509. Appeal Grounds and Procedures.\*

Currently, the regulations allow an individual to appeal the denial of an application on the basis of a mistake of fact, a mistake of law, or additional information not included in the original packet. In practice, if a staff member denies an application based on insufficient information, and it is resubmitted with the needed materials, the staff member grants the credential without any need to appeal. Also in practice, the vast majority of Commission appeal cases are requests to use equivalent coursework or experience in lieu of an established method to satisfy a credential requirement. Because of this, the Commission wishes to change the grounds for appeal from "additional information not included in the original packet" to "equivalence to the minimum requirements for the credential."

To add consistency in evaluating and to assist prospective applicants in determining if they meet the appeal qualifications, the Commission also proposes to incorporate the minimum experience standards required in lieu of student teaching for Multiple and Single Subject Teaching Credentials and Specialist Instruction Credentials in Special Education.

Information regarding appealing for an Administrative Services Credential has also been added.

§80510. Time of Filing Appeal.\*

No substantial changes made.

§80512. Initiation of Appeal Procedure.\*

As mentioned above, if an individual submits additional information that satisfies the missing requirement which

caused the denial, staff processes the application as a "grant" rather than "appeal". Because of this, information regarding the Executive Secretary granting an appeal at this point has been removed. Also, the reference to notifying the applicant of the appeal has been removed because she or he was already informed in §80506.

§80514. Duties of the Committee  
No changes made.

§80515. Rights of Appellant.\*

The appellant's right to cross examine witnesses testifying against her or him has been removed because there are no "witnesses", in the legal sense, testifying against the appellant. The only individual considered a witness is the appellant, and all other evidence is documentary. If the appellant has a concern regarding any evidence presented, then she or he may address the Committee chair.

§80516. Open Hearing (Appellant's Option to Close Hearing).

Instead of having the appeal hearing open only to those person's directly involved with the case, this change would make it open to all individuals unless the appellant requests, at least 30 days prior to the hearing, that it be closed.

§80518. Conduct of Hearing

There are two changes made in this section. The first is to make the term "chairman" generic, changing it to "chair." The second change is to clarify that the Committee's decision, regarding the appeal, must be made by a majority vote. It also explains the procedure to be used in case of a tie vote.

§80519. Notice of Committee Decision.\*

The proposed amendment of this section would clarify that the appeals which the Committee recommends granting will be presented to the full Commission.

§80521. Appeal for Hearing.\*

This clarifies that a further hearing is available for those applicants denied by the Committee.

§80522. Finality of Decision.\*

No substantial changes made.

§80523. Extension of Time.

This proposed regulation would allow the Commission to authorize staff to grant extensions of time to applicants who were unable to satisfy their renewal requirement(s) within the allotted time because of extenuating circumstances.

§80523.1. Experience in Lieu of Student Teaching.

This proposed regulation would allow the Commission, if it chooses, to authorize staff to grant a Multiple or Single Subject Teaching Credential based on experience in lieu of student teaching when the applicant has completed three years of teaching experience after completion of a baccalaureate degree and a teacher preparation program excluding student teaching.

§80523.2. IHE or LEA Unable to Recommend.

This proposed regulation would allow the Commission to authorize staff to grant a credential to an individual who satisfied all the program requirements of a Commission-approved institution of higher education, local education agency, or assessor agency, but lacks a requirement established in the institution's or agency's policy, such as a residency requirement.

§80523.3. Administrative Services Experience.

This proposed regulation would allow the granting of a professional Administrative Services Credential to applicants who have completed two years of full-time administrative experience in a position that did not require this credential. Currently, this experience must be gained in a position requiring the Administrative Services Credential.

§80523.4. Administrative Services Prerequisite

This proposed regulation would allow the granting of an Administrative Services Credential to applicants whose prerequisite credential is a valid designated subjects teaching credential in adult education provided the applicant also holds a baccalaureate degree from a regionally accredited college or university. Education Code §44270(a)(1), which lists the acceptable prerequisite credentials for the Administrative Services Credential, was amended in 1979 to include the documents listed in Education Code §44260 as appropriate prerequisites. At that time, §44260 included both vocational and adult education teaching credentials. In 1982, §44260 was rewritten and now refers to vocational credentials only;

§44260.2 refers to adult education credentials. Section 44270(a)(1) was not changed to reflect this separation, even though the 1982 amendment was never intended to disenfranchise the holders of the adult education credential.

#### Documents Relied Upon in Making Determination to Change These Regulations

None.

#### **Written Comment Period**

Any interested person, or his or her authorized representative, may submit written comments on the proposed actions. The written comment period closes at 5:00 p.m. on December 2, 1992.

Any written comments received 14 days prior to the public hearing will be reproduced by the Commission's staff for each Commissioner as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

#### **Submission of Written Comments**

A response form is attached for your use when submitting written comments to the Commission. Please send it to the Commission at 1812 9th Street, Sacramento, CA 95814-7000, so it is received at least one day prior to the date of the public hearing.

#### **Public Hearing**

Oral comments on the proposed action will be taken at the public hearing. We would appreciate 14 days advance notice in order to schedule sufficient time on the agenda. Please contact Dr. Philip A. Fitch at (916) 445-0184 regarding this.

Any person wishing to submit written comments at the public hearing may do so. It is requested, but not required, that persons submitting such comments provide twenty-five copies. All written statements submitted at the hearing will, however, be given full consideration regardless of the number of copies submitted.

### **Modification of Proposed Actions**

If the Commission proposes to modify the actions hereby proposed, the modifications (other than non-substantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

### **Contact Person/Further Information**

Inquiries concerning the proposed action may be directed to Yvonne Novelli at (916) 445-5865. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. In addition, all the information upon which this proposal is based is available for inspection and copying.

### **Attachments**



TITLE 5, CALIFORNIA CODE OF REGULATIONS  
ARTICLE 6. DENIAL OF APPLICATION FOR CREDENTIALS

**§80505. Definitions.**

As used in this article:

- (a) "Credential" means any credential, certificate, or permit issued by the Commission.
- (b)-(a) "Application for a credential" includes an application for the issuance of a credential, an application for a renewal of a credential, an application to add new authorizations to an existing credential, or a request to take any special action in relation to the issuance of a credential.
- (c)-(b) "Committee" means the Licensing and Professional Development Committee of the Commission.
- (d)-(e) "Denial" means the refusal of the Commission, Committee, or staff to issue, renew a credential, or add a new authorization to an existing credential on the grounds that the applicant's education, training or experience does not satisfy the minimum requirements for the same.
- (e)-(d) "Appeal of denial" means a timely written request by the applicant for a reevaluation by the Commission of his/ or her application.
- (f) "IHE" means an institution of higher education with a Commission approved program for the credential under consideration.
- (g) "LEA" means a local education agency or assessor agency that is authorized by the Commission to recommend for the credential under consideration.

**§80506. Notice of Denial.**

- (a) If an application for a credential is denied pursuant to any provision of this chapter, ~~the Executive Secretary to the Commission~~ staff of the Commission shall give written notice to the applicant of the grounds on which the denial was made.
- (b) Such notice of denial of the application shall be mailed or delivered in person to the applicant not later than ten days following the decision of the Commission staff to deny said application.
- (c) Written notice, pursuant to this section, shall include:
  - (1) A statement of action to be taken on the application that the application has been denied;
  - (2) A statement of the facts upon which the application has been denied;
  - (3) A statement of the informal hearing procedure and the rights of the applicant thereunder.

**§80507. Date of Denial of Application.**

After all necessary application materials have been filed with the Commission, F~~ailure of the Commission staff to issue a credential within 60 working days the time set forth in Title 5, California Code of Regulations Section 80443, after all necessary application materials have been filed with the Commission~~ may, at the election of the applicant, be treated as a denial of the application.

**§80509. Appeal Grounds and Procedure.**

- (a) The applicant shall initiate an appeal by filing with the Executive Secretary ~~in a~~ written notice stating that the applicant appeals a particular decision of the Commission staff ~~on regarding~~ the application, on the grounds of mistake of fact, mistake of law, or ~~additional information not included in the original application.~~

equivalence to the minimum requirements for the credential requested including, but not limited to, the specific requirements set forth in this section as follows:

(1) If the applicant is appealing to use actual teaching experience in lieu of the student teaching requirement for a Multiple or Single Subject Teaching Credential, the applicant must verify the completion of a minimum of three years of satisfactory classroom teaching experience. The experience shall meet the requirements described below:

(A) "Year of classroom teaching" means classroom teaching for the minimum school day applicable to the level taught for at least 75 percent of the number of days the regular schools of the district were in session in the school year.

(1) A school day for a multiple subject assignment shall be at least four hours exclusive of non-instructional time.

(2) No less than three periods per day of teaching experience for a single subject assignment may be used.

(3) Long-term substitute or replacement teaching assignments may be considered when such assignments include all of the functions of the teacher of record. To be considered, experience must be a minimum of one semester or its equivalent in hours or quarters (approximately 18 weeks) in the same assignment. Day to day substitute experience will not be cumulated to meet the requirement.

(B) Actual teaching experience submitted by the appellant shall be assessed in relation to the professional teacher preparation standards.

(1) The teaching experience shall be acquired after completion of a baccalaureate degree and professional teacher preparation program excluding student teaching. Experience acquired concurrently with a teacher preparation program will be considered only when verification from the IHE is submitted attesting to the fact that the university was unable or unwilling to provide supervision of the current assignment to meet the student teaching requirement.

(2) An appellant who has not been formally admitted to a teacher preparation program or who has been found to be ineligible for student teaching due to a lower grade point average (GPA) than is acceptable to the IHE, must submit verification from the IHE that all appeals through the university have been exhausted. The appellant may then appeal by presenting substantial compelling evidence of a minimum of three years of recent actual teaching experience (that meets all other criteria as established by the Commission) that is of such high quality that the Commissioners find the deficit GPA to be outweighed.

(3) An appellant who has been admitted to student teaching by an IHE but who has failed to complete the requirement because the IHE found the student teaching below acceptable

performance levels as set forth in the IHE's program standards shall not have grounds for appeal.

- (C) The teaching experience shall be performed in public schools or agencies, or private schools of equivalent status. Schools of equivalent status have been determined by the State Department of Education to be comparable to the public schools; serve pupils of the same age group as the public schools; follow a secular curriculum; follow a public school time schedule; and serve a diverse group of students. The appellant's employer or employers must verify that his or her competence and performance meet standards required of a student teacher.
- (D) The appellant must submit comprehensive evaluations of successful teaching experience as well as a statement from each employer which explains how the appellant was evaluated, supported, and supervised, and by whom.
- (E) The teaching experience shall be of a level, scope and responsibility beyond the service performed by an aide, reader, assistant, para-professional, tutor, day-to-day substitute, children's center or special center permit holder, consultant, or student practitioner.
- (F) The teaching experience shall be appropriate to the level of the credential being sought. For a Single Subject Teaching Credential the experience must be in a subject which will be listed on the appellant's Single Subject Teaching Credential. For the Multiple Subject Teaching Credential, the experience must be in self-contained settings.
- (G) Adult school teaching experience and military teaching experience in subjects commonly taught in secondary schools may be used to meet up to one-half of the experience requirement for a Single Subject Teaching Credential. This experience cannot be used for issuance of a Multiple Subject
- (H) A minimum of eight years of satisfactory teaching experience which have been acquired with no teacher preparation program may be considered by the Commission on an individual basis. Such experience shall be verified in detail following criteria listed above.
- (2) If the appellant is appealing to use actual teaching experience in lieu of the student teaching requirement for a Specialist Instructional Credential in Special Education, the appellant must verify the completion of a minimum of three years of satisfactory special education experience. The experience shall meet the requirements described below:
  - (A) "Year of classroom teaching" means classroom teaching for the minimum school day applicable to the level taught for at least 75 percent of the number of days the regular schools of the district were in session in the school year.
    - (1) A school day for a special education assignment shall be at least four hours exclusive of non-instructional time.
    - (2) Long-term substitute or replacement teaching assignments may be considered when such assignments include all of the

functions of the teacher of record. To be considered, experience must be a minimum of one semester or its equivalent in quarters (approximately 18 weeks) in the same assignment. Day to day substitute experience will not be cumulated to meet the requirement.

(B) Actual teaching experience submitted by the appellant shall be assessed in relation to the professional special education teacher preparation standards.

(1) The teaching experience shall be acquired after completion of a baccalaureate degree and special education teacher preparation program excluding student teaching. Experience acquired concurrently with a teacher preparation program will be considered only when verification from the IHE is submitted attesting to the fact that the university was unable or unwilling to provide supervision of the current assignment to meet the student teaching requirement.

(2) An appellant who has been admitted to student teaching by an IHE but who has failed to complete the requirement because the IHE found the student teaching below acceptable performance levels as set forth in the IHE's program standards shall not have grounds for appeal.

(C) The teaching experience shall be performed in public schools or agencies, or private schools of equivalent status. Schools of equivalent status have been determined by the State Department of Education to be comparable to the public schools: serve pupils of the same age group as the public schools; follow a secular curriculum; follow a public school time schedule; and serve a diverse group of students. The appellant's employer or employers must verify that he or she meets the same competency standards required of a student teacher.

(D) The appellant must submit comprehensive evaluations of successful teaching experience as well as a statement from each employer which explains how the appellant was evaluated, supported, and supervised, and by whom.

(E) The teaching experience shall be of a level, scope and responsibility beyond the service performed by an aide, reader, assistant, para-professional, tutor, day-to-day substitute, children's center or special center permit holder, consultant, or student practitioner

(F) The teaching experience shall be appropriate to the authorized field of the Specialist Instruction Credential in Special Education being sought.

(3) An applicant who is found to be ineligible for an Administrative Services Credential and who has exhausted all appeals through an IHE, may appeal to the Committee by presenting substantial compelling evidence of having equivalent coursework or experience that meets all requirements established in laws and regulations.

(b) The petition shall be in writing and shall state the facts, information or circumstances upon which the appeal is based. The petition shall be signed and

dated by the appellant, and shall include the following statement: "I certify under the penalty of perjury that the facts stated herein are true and correct."

- ~~(e)~~ Additional information may include, but is not limited to the following:
- ~~(1)~~ letters from the institution of higher education where the course work was completed;
  - ~~(2)~~ letters from employers verifying experience;
  - ~~(3)~~ letters from California institutions of higher education, with programs approved by the Commission for the credential in question, stating the reasons why the institution of higher education recommends or refuses to recommend for the credential.

#### **§80510. Time of Filing Appeal.**

- (a)** Appeal of the denial of an application pursuant to this chapter shall be filed within 30 days after the applicant appellant has been served with notice of such denial.
- (b)** Upon a showing of good cause, the Executive Secretary may allow such an appeal to be filed within 30 days after the end of the period in which the appeal should have been filed, or such other extension as may be required by illness or other justifiable cause.

#### **§80512. Initiation of Appeal Procedure.**

- ~~(a)~~ Within 30 days of the filing of an appeal, the Executive Secretary shall take one of the following actions:
- ~~(1)~~ Grant the appeal on the basis of the verified facts presented by the applicant, or
  - ~~(2)~~ **(a)** Deny the appeal and cause a statement of issues to be prepared and filed with the Committee setting forth the causes upon which the disputed action appeal is based;
- ~~(b)~~ In the case of the administrative denial of an appeal, the Executive Secretary shall take the following action:
- ~~(1)~~ **(b)** Submit the statement of issues to the Committee at the earliest possible date; and
  - ~~(2)~~ **(c)** Notify the applicant appellant of the date, time and place of the informal hearing before the Committee;
  - ~~(3)~~ Notify the applicant of the facts upon which the appeal was administratively denied, including copies of the Commission's Grant and Deny Code.

#### **§80514. Duties of the Committee.**

Upon appeal of denial of an application for a credential, the matter shall be referred to the Committee to conduct an informal hearing unless the Commission specifically has reserved the same for its own action. Upon such informal hearing by the Committee, the Committee shall recommend that such application be granted or denied.

#### **§80515. Rights of Applicant Appellant.**

An applicant appellant who has been denied a credential pursuant to this ~~chapter~~ section shall have the following rights ~~to appeal before the Committee~~:

- (a)** To present such written evidence as he or she feels is necessary or appropriate to the issues involved at any time up to and including the day of hearing;
- (b)** To present written or oral arguments to the Committee;
- ~~(c)~~ ~~To cross examine any witness testifying against him or her.~~
- ~~(d)~~ **(c)** To be represented by the person of his or her choice; and
- ~~(e)~~ **(d)** To choose not to appear before the Committee and to have such failure to appear shall not neither admit or nor deny the facts described in the written notice.

**§80516 Closed Open Hearing (Appellant's option to close hearing).**

The informal hearing shall be open, unless the appellant requests a closed hearing. Any request for such closed hearing shall be made and received at least 30 days prior to the scheduled hearing. Testimony shall be limited to responses to questions by Licensing Committee Members, written documents and oral presentations by witnesses registered with the chair of the Licensing Committee prior to commencing the hearing.  
~~The informal hearing shall be open only to persons directly involved in the matters to be heard. The chairman of the Committee may exclude a witness from the hearing when the witness is not giving testimony.~~

**§80518. Conduct of Hearing.**

- (a) The chairman of the Committee shall conduct the informal hearing.
- (b) The chairman may do whatever is necessary to carry out the intent and provisions of this article to insure that the informal hearing is conducted in a fair, dignified, and orderly manner which is not specifically prohibited by an applicable provision of law.
- (c) The action of the Committee to decide an appeal shall require a majority vote. In the case of a tie, the matter shall remain on the Committee calendar for the next meeting of the Committee, at which time the matter shall be reconsidered and decided by a majority. If the matter cannot be resolved by a majority vote after two meetings, the appeal shall be deemed to have been denied and the appellant so notified.

**§80519. Notice of Committee Decision.**

- (a) If the Committee recommends that the application for a credential be granted, the Chair of the Committee shall present the recommendation to the Commission forthwith.
- (b) If the Committee recommends denial of the application for a credential, The Executive Secretary shall, within 10 days following the informal hearing, notify the applicant appellant in writing of the following:
  - ~~(a)~~ (1) The decision of the Committee;
  - ~~(b)~~ (2) The facts upon which the appeal was denied; and
  - ~~(c)~~ (3) An explanation of the procedures for an administrative hearing by the Commission and the rights of the applicant appellant.

**§80521. Appeal for Administrative Hearing.**

- (a) Within 30 days following a decision by the Committee, to deny the application, the applicant appellant may apply for an Administrative Hearing by the Commission by filing a written request with the Executive Secretary a written petition therefore.
- (b) If an administrative hearing is requested, the proceeding shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.

**§80522. Finality of Decision.**

Unless an appeal a request for an administrative hearing is filed, each decision of the Committee shall become final 30 days after a copy of such decision is mailed to the parties to the proceeding in which the decision was rendered.

### §80523. Time of Filing Appeal Extensions of Time

(a) The Commission may assign to its certification staff the authority to waive Education Code Sections 44251, 44253, 44348, 44277 or 44279 concerning the term of the credential for applicants who request an extension of time to complete requirements if the applicant verifies the specific criteria determined by the Licensing and Professional Development Committee of the Commission. The specific criteria may include, but is not limited to, the following:

- (1) a requirement has been established since the applicant received his or her credential;
- (2) the applicant was unable to complete requirements because of personal health problems or the health problems of a family or household member;
- (3) the applicant is currently employed in a position requiring a credential or its equivalent and no IHE or LEA can be reached within one and one-half hours of traveling time;
- (4) the applicant submits verification from the IHE or LEA that there were no openings in the program or that the required course work was unavailable;
- (5) the applicant unknowingly completed course work, such as continuing education courses, which the IHE, LEA, or Commission cannot accept toward completion of the requirements;
- (6) the applicant did not receive information about the requirement from the Commission with sufficient time to complete that requirement;
- (7) the applicant enrolled in a second or subsequent IHE or LEA and the new IHE or LEA required additional course work or assessment which the applicant was unable to complete on time;
- (8) demands of job or family made attendance at an IHE or LEA impossible;
- (9) the applicant has completed educational requirements, but has not met the experience requirement; and
- (10) the applicant has not been employed in the California public school system since the credential was issued;

(b) These waivers may be issued only once, except in cases where the extenuating circumstances continue to exist and the applicant has made sufficient progress toward completion of the requirements.

Statutory Authority §44225. References 44225(m), 44251, 44253, 44277, 44279, and 44348.

### §80523.1. Experience In Lieu of Student Teaching

The Commission may assign to its certification staff the authority to issue Multiple or Single Subject Teaching Credentials to applicants who meet the requirements established in Section 80509(a) when the applicant verifies that he or she has completed the three years of experience after completion of the baccalaureate degree and professional preparation program excluding student teaching:

Statutory Authority §44225. Reference 44225(g) and 44252(a).

### §80523.2. IHE or LEA Unable to Recommend

The Commission may assign to its certification staff the authority to issue credentials to applicants who have a statement from an IHE or LEA verifying that the applicant has completed the equivalent of the approved program, but the institution or agency cannot provide the applicant with a formal recommendation because it is against their policy.

Statutory Authority §44225. Reference 44227 and 44252(a).

### §80523.3. Administrative Services Experience

The Commission shall waive the requirement of Education Code Section 44270.1(a)(2), concerning the administrative experience required for the professional Administrative Services credential, if the applicant verifies all of the following:

- (a) The preliminary Administrative Services credential was held during the time that the service was performed;
- (b) The two years of full-time duties completed were equivalent in nature to administrative duties. A letter from the employing school district or county must verify the assignment and shall include a complete description of the duties and length of time the applicant has been employed, and shall include a thorough explanation as to why the school district or county does not identify the position as one which requires an Administrative Services credential;
- (c) The Coordinator or Director of the Administrative Services credential program at the IHE in which the applicant is enrolled, shall verify that the experience is equivalent to that authorized under the professional Administrative Services credential; and
- (d) The Commission staff confirms that the position would be considered administrative for purposes of assignment monitoring, including such positions as principal, assistant principal, dean, coordinator or director of programs, but not including positions such as resource teacher or curriculum consultant.

Statutory Authority §44225(m). Reference 44270.1(a)(2).

### §80523.4. Administrative Services Prerequisite

A valid designated subjects adult education teaching credential shall be accepted as an appropriate prerequisite credential for the Administrative Services Credential, provided the applicant also possesses a baccalaureate degree from a regionally accredited college or university.

Statutory Authority §44225(m). Reference 44270(a)(1).



**COMMISSION ON TEACHER CREDENTIALING**

1812 Ninth Street  
Sacramento, California 95814-7000



Attn: Philip A. Fitch, Ed.D.  
Executive Secretary

Title: **Appeals**  
Section Nos.: **80505-80523.3**

**Response to the Attached Title 5 Regulations**

So that the Commission on Teacher Credentialing can more clearly estimate the general field response to the attached Title 5 regulations, please return this response form to the Commission office at the above address by 5 pm on December 2, 1992, in order that the material can be presented at the December 3, 1992, public hearing.

1. ☐ Yes, I agree with the proposed Title 5 regulations. Please count me in favor of these regulations.
2. ☐ No, I do not agree with the proposed Title 5 Regulations for the following reasons: (If additional space is needed, use the reverse side of this sheet.)
3. ☐ Personal opinion of the undersigned only.
4. ☐ Organizational opinion of the undersigned only.
5. ☐ I shall be at the public hearing, place my name on the list for making a presentation to the Commission.
6. ☐ No, I will not make a presentation to the Commission at the public hearing.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Phone: \_\_\_\_\_

Representing: \_\_\_\_\_  
(Circle One) School District, College, University, Professional Organization, Private Citizen, Other